IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Revision No.6101 of 2007

Date of Decision: November 27, 2007

Shakti Kumar .....Petitioner

Versus

Reema .....Respondent

CORAM:- HON'BLE MR.JUSTICE S. D. ANAND

Present: Mr.Sarbjit Singh, Advocate for the petitioner.

S. D. ANAND, J.

1. As per the finding, the petitioner-husband owns two killas of land and is also a holder of a fair price Depot. As noticed by the learned Trial Court, there was complete want of evidence to prove that the shop was lying closed for the last 1-1/2 years. If the shop was lying closed, the petitioner-husband could have obtained certification from the Food and Supply Authorities with regard to the non-supply of the ration to the Depot. The petitioner-husband did not take any steps to prove that fact.

2. The monthly income of the petitioner-husband was assessed at Rs.5,000/-. While noticing that the respondent-wife has no means of sustenance for self and her minor child, monthly pendente lite @ Rs.3,000/- from the date of the application was ordered to be payable, along with the

litigation expenses of Rs.3,300/-.

3. Learned counsel for the petitioner-husband has not been able to persuade me to find any fault with the impugned order.

4. Every able-bodied husband is legally duty bound to maintain a resourceless wife who has no means of sustenance of her own. In the present age of high prices, the amount of Rs.3,000/- per month cannot be said to be excessive, particularly when the respondent-wife is also to pay for the upkeep of the minor child.

5. Dismissed.

(S. D. ANAND)
JUDGE

November 27, 2007
SRM

Note: Whether referred to reporter ? Yes/No `